

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/397,704	ALTOMARE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JAGDISH PATEL	3693	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/1/2006.
2. ☒ The allowed claim(s) is/are 1,4,6-8,10-12,14,15,25,28-36 and 38-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. This communication is in response to amendment filed 05-01-2006

#### ***Response to Amendment***

2. Claims 1,4,6-8,10-12,14,15,25,28-36 and 38-43 are pending and have been allowed. (Refer to the examiner's amendment which follows.)

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Att. Michael D. Lazzara (Reg. No. 41,142) on 7/17/06.

The application has been amended as follows:

In the claims, amend claims 1 and 25 as follows:

Claim 1: (Currently Amended): A computer-based method for administering financial instruments, comprising:

executing a processing program loaded on a computer, the processing program configured to establish a trust with trust units, each trust unit representing an interest in a bond having a maturity date and one or more equity security shares, the one or more equity security shares defining a share ratio; and

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periodically performing the following steps by accessing, via one of the computer and a second computer, information stored in a database, the information in the database comprising at least trust information and equity security information. to enable the one of the computer and a second computer to:

(a) computing price of the trust units based on the share ratio for a period and current values of the bond and the one or more equity security shares;

(b) determining a predetermined threshold price based on a par value of the trust units at maturity;

(c) comparing the price of the trust units to the predetermined threshold price;

(d) determining a distribution to holders of the trust units based on the comparison, the distribution including cash payments that are paid in cash and based on share dividends of the equity security shares of the trust units and performance payments that are paid in a number of equity security shares and based on underlying asset appreciation; and

(e) adjusting the share ratio of the trust units to reflect the distribution.

Claim 25: (Currently Amended): A computer-based method for administering financial instruments, comprising:

executing a processing program loaded on a computer, the processing program configured to establish a trust with trust units, each trust unit representing an interest in a fixed-income security that has a maturity date and one or more equity security shares, the one or more equity security shares defining a share ratio; and

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periodically performing the following steps by accessing, via one of the computer and a second computer, information stored in a database. the information in the database comprising at least trust information and equity security information, to enable the one of the computer and a second computer to:

computing price of the trust units based on the share ratio for a period, current values of the fixed-income security and the one or more equity security shares;

comparing the computed price of the trust units to a predetermined number, wherein the predetermined number is based on a par value of the trust at maturity;

determining a distribution to holders of the trust units based on the comparison, the distribution including cash payments that are paid in cash and based on share dividends of the equity security shares of the trust units and performance payments that are paid in equity security shares and based on underlying asset appreciation; and

(e) adjusting the share ratio of the trust units to reflect the distribution.

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***Reasons for Allowance***

4. The following is an examiner's statement of reasons for allowance:

The claimed inventions pertain to data processing systems and methods for managing financial instruments, including cash flows, such as dividends or coupons, associated with such instruments.

The following prior art references have been deemed most relevant to the allowed claim(s):

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Graff (US Pat. 5802501) teaches system and methods for computing to support decomposing property into separately valued components

CIBC World Markets (Structured Notes: Equity Linked Notes) teaches equity index linked notes based upon performance of an equity market index such as the S & P 500 composite Price Index, measured from a predetermined level.

Graff and CIBC World Markets as discussed above as the Closest Prior art of record fails to teach or suggest a method or a system of administering financial instruments which comprises process step or equivalent system element of determining a distribution to holders of the trust units based on the comparison, the distribution including cash payments that are paid in cash and based on share dividends of the equity security shares of the trust units and performance payments that are paid in a number of equity security shares and based on underlying asset appreciation and adjusting the share ratio of the trust units to reflect the distribution.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

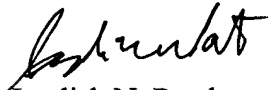
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Tu and Th. On Fridays the examiner can be reached at (301) 455-0510.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammel can be reached on (571)272-6712. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

7/20/06